

# MARSHALL: REPUBLICAN.

VOL. X.

MARSHALL, SALINE COUNTY, MISSOURI, MAY 3, 1901.

NO. 13.

## WOOD ACQUITTED.

Jury Out Only Forty Minutes—State's Attorney Dismissed Case Against Two Other Suspects.

The trial of John Watson Wood, charged with the murder of Sail Aulgur, was begun before Judge Rich Tuesday morning and continued until Wednesday night, when the jury returned a verdict of not guilty.

### THE TRIAL.

Herman H. Mawry was the first witness called and testified as follows: I lived in Marshall, September 1900. I was night operator at the Alton station. About 1:40 a. m. three men with masks and revolvers entered the office and held me up. I was sitting in the office smoking a pipe; some one says "hands up;" I looked up and saw a man at the window, with a pistol pointed at me; I saw another man at baggage window with a revolver; two men came in the office and took \$24.40 from the cash drawer; told me to open the safe; I told them I could not. About this time another man appeared at the office door, and I saw his gun pointed at the men in the office, and called to them "hands up;" one of the men shot and the man at the door fell; the three men ran, one went north through the window, and I do not know how the others got out. I went to the ice plant and some men returned with me to the station, where we found Sail Aulgur on the floor of the waiting room; he was almost dead. I have seen John Wood, the defendant; he compares in size and height with one of the smaller men, who entered the office on that night; I saw Wood about ten days after he was arrested; I cannot positively identify him as one of the men; I could not see his face; he had a mask on, and his hat was pulled down over his eyes.

Dr. J. E. Ragsdale, county coroner, was the next witness called, and he described the wounds which caused the murdered man's death; said the ball entered the right eye, and that he could not find it.

Ed Maddox, deputy city marshal, was called and testified that he reached the depot a short time after the murder; I searched the passenger trains; two men jumped off and ran;

I stopped one of them; I have seen the defendant, Wood; I think he is the party that I stopped; I came to that conclusion after he was brought here, and I got a good look at him.

J. D. Fristoe was the next witness put on the stand and testified that he heard of the shooting of Sail Aulgur a few minutes after it was done and went to the depot at once and found Mr. Aulgur lying on the floor, shot in the head; I was at station when passenger trains went through that morning; when the train came in two men jumped off; I know the defendant, Wood; I can identify him as the man Maddox stopped; I identified him in the Kansas City jail the morning after his arrest.

James Jackson testified that he saw the three men, charged with the crime, at the Alton station in Kansas City in the early part of the evening of September 6th.

Albert Jackson was called and stated that he was in Marshall at the time of the murder, having come down from Kansas City a few days before, riding on top of a passenger coach; said that Wood was on the car with him. A pistol was introduced, which Jackson identified as being one formerly in his possession, and that he had removed the guard from the same and kept it; that he gave the pistol to Haggard, one of the defendants. This pistol was found in Marshall, near the depot, soon after the murder. The guard has marks on it, by which Jackson said he was able to identify the same.

Annie Jackson testified that the hat found here at the station, the morning after the murder, was the one worn by the defendant, Wood. She said Wood came to Kansas City after the murder and said to her: "I've been down in Marshall and lost that old hat, and if you ever say anything about it, I'll cut your throat; I've cut lots of throats like yours." The witness said Wood was drinking and they were having a time; said she had never said anything about the case until after she and Wood had quarreled and he said he would cut her throat.

Ida Vineyard testified that she had known Jack Wood for a year, boarding at the same place. She said Wood was away from Kansas City on the 6th and 7th of September. She also identified the hat introduced in evidence, as the hat worn by Wood prior to September 6th.

### THE DEFENSE.

Frank Lillis was the first witness called for the defense. He said that he was at work on the McCormick building which was being

erected in Kansas City during the first week of September and that the defendant was there all day Thursday and Friday, September 6th and 7th.

Dave Thurston also testified that he was at work on the same building and that Wood was there on the 6th and 7th.

L. F. Netercott, stated that Wood was at work for him on the 6th and 7th of September and produced a time book which showed that Wood was at work on the days mentioned.

Frude S. Fisher stated that he slept in the same room with Wood from the 4th to the 9th of September 1900.

Louisa Wood, mother of defendant, was called and said she was a resident of Saline county thirty-seven years ago; said her son, John, slept at home on the nights of September 6th and 7th, and that she saw him eat breakfast on these dates.

Elsie Wood, sister of the defendant said she was in Sedalia the last two weeks in August; that she and her mother returned to Kansas City September 1st, and that her brother was at home all the week of September 4th to 9th. She produced a diary in which she had recorded incidents showing that her brother was at home on the nights of 6 and 7th of September.

R. S. Wilson, of Callaway county, stated that he brought a load of wood from Clayton Haggard on September 4th, and that Haggard had been hauling wood for a week before this date, and that he bought another load of wood from the defendant on the morning of the 7th of September, paying him fifty cents in money and giving him a sack of flour for the same.

J. B. Wilson, also of Callaway county, testified that he was time-keeper on an extra gang on the M. K. & T. road, and that Clayton Haggard worked on the 5th of September all day and on the morning of the 6th, and produced a book kept on that occasion showing that Haggard was at work on the dates as testified to.

The defense introduced a letter which purported to have been written by Fancy Jackson. The letter offers to withdraw all the Jackson witnesses and prevent them from testifying in the case, provided Wood will pay her a certain amount of money. The court would not admit the letter as evidence.

The jury was composed of the following: Benjamin F. Bray, H. C. Mead, Luther H. Gilliam, James E. Brown, Robert L. Gauldin, John H. Plattner, Lloyd M. Lake, Richard F. Gains, A. F. Vawter, Henry C. Corder, William N. Wilson and John B. Garst.